

In re: PATENT APPLICATION of:

Inventor(s): NORIO FUKUDA, et al.

Appln. No.: 09 909,396

Series Code ↑ Serial No. ↑

Group Art Unit 1742

Examiner: John P. Sheehan

Atty. Dkt. 277008 51270

C-M Client Ref

Filed: July 19, 2001

Title: MAGNETOSTRICTION CONTROL ALLOY SHEET, A PART OF A BRAUN TUBE, AND A MANUFACTURING METHOD FOR A MAGNETOSTRICTION CONTROL ALLOY SHEET

R
RCE
EDO NOT USE FOR PROVISIONAL,
DIVISIONAL, CIP OR DESIGN
APPLICATIONS, OR REEXAMINATION OF
PATENTS

Mail Stop RCE

Hon. Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Date: February 10, 2004

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

PREREQUISITESThis application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee has not been paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☐ enter ☐ do not enter the Amendment filed
2. ☒ The enclosed new Preliminary Amendment
3. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement

| | | |
|-------------------------------------|--------------------------------------|---|
| <input type="checkbox"/> IDS Letter | <input type="checkbox"/> Cited Appln | <input type="checkbox"/> Foreign Search Report/OA |
| <input type="checkbox"/> PTO-1449 | | <input type="checkbox"/> Cited Documents |
6. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which charge the required \$130 fee (fee code 1808) to our Deposit Account (see below).
7. Petition is hereby made to extend the **original** due date of ___ to cover the date
this Request is filed. **PLEASE CHARGE** the requisite fee to our Deposit
Account (see below)

| | |
|---------|-------------------|
| (1 mo) | \$110/\$55 |
| (2 mos) | \$420/\$210 + 950 |
| (3 mos) | \$950/\$475 |
8. **PLEASE CHARGE** the Rule 17(e) (RCE) filing fee of ☒ \$770 (lg. ent.) ☐ \$385 (sm. ent.) plus any
deficiency and any other fee due now or later to our Deposit
Account No. 03-3975 under Order No. 51270 / 277008

NOTE: Rule 17(e) filing fee Cannot be deferred!
NO CLAIMS FEE REQUIRED unless you are
adding claims by box 2 Amendment in which case
cover this with PAT-120.

02/17/2004 DTESSEN1 00000100 09909396

C# M#

01 FC:1801 770.00 OP

Pillsbury Winthrop LLP
Intellectual Property Group725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406

By Atty:

Roger R. Wise

Reg. No. 31204

Sig:

Fax: (213) 629-1033
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(213) 488-7100

Atty/Sec: RRW/ah

NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)

Inventor(s): NORIO FUKUDA, et al.
 Appl. No.: 09 | 909,396
 Series Code ↑ | Serial No. ↑

Filed: July 19, 2001

Hon. Commissioner for Patents
 PO Box 1450
 Alexandria, VA 22313-1450

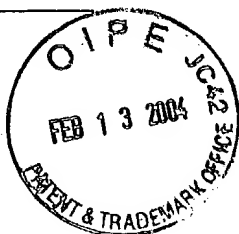
Sir:

REPLY/AMENDMENT/LETTER

Date: February 10, 2004

Group Art Unit 1742
 Examiner: John P. Sheehan
 Atty. Dkt. 277008 | 51270
 C-M | Client Ref

Appl. Title: MAGNETOSTRICTION CONTROL
 ALLOY SHEET, A PART OF A BRAUN
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 ALLOY SHEET



This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim

- A. ☒ NOT made
 B. ☐ Withdrawn
 C. ☐ made herewith
 D. ☐ made previously
- For B & C
 See **Required
 Separate Paper**
 (Pat-256)

| | | | | | | | | | | |
|--|--|--|--|--|--|----|---------------|--------------------|-------------------|---|
| A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously | | For B & C See Required Separate Paper (Pat-256) | | Claims remaining after amendment | Highest number previously paid for | | Present Extra | Large/Small Entity | Additional Fee | Fee Code Lg/Sm |
| 2. Total Effective Claims | | | | 10 | **minus | 20 | 0 | x \$18/\$9 = | + \$0 | 1202/2202 |
| 3. Independent Claims | | | | 8 | ***minus | 5 | 3 | x \$86/\$43 = | + \$258 | 1201/2201 |
| 4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) add | | | | | | | | + \$290/\$145 = | + \$0 | 1203/2203 |
| 5. Original due Date: February 13, 2004 | | | | <input type="checkbox"/> NONE | | | | | | |
| 6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached | | | | (1 mo) (2 mos) (3 mos) (4 mos) (5 mos) | \$110/\$55 = \$420/\$210 = \$950/\$475 = \$1,480/\$740= \$2,010/\$1,005= | | + \$0 | | | 1251/2251 1252/2252 1253/2253 1254/2254 1255/2255 |
| 7. Enter any previous extension fee paid since above original due date and subtract | | | | | | | | - \$0 | | |
| 8. | | | | | | | | Extension Fee | + \$0 | |
| 9. If Terminal Disclaimer attached, add Rule 20(d) official fee | | | | | | | | + \$110/\$55 | + \$0 | 1814/2814 |
| 10. If IDS attached requires Official Fee under Rule 97 (c), add | | | | | | | | + \$180 | + \$0 | 1806 |
| or if Rule 97(d) Request add | | | | | | | | + \$180 | | 1806 |
| 11. After-Final Request Fee per rules 129(a) and 17(r) | | | | | | | | + \$770/385 | + \$0 | 1809/2809 |
| 12. No. of additional inventions for examination per Rule 129(b)..... | | | | | | | | x \$770/385 ea | + \$0 | 1810/2810 |
| 13. Request for Continued Examination (RCE) | | | | | | | | + \$770/385 | + \$770 | 1801/2801 |
| 14. Petition fee for | | | | | | | | | + \$0 | |
| 15. | | | | | | | | TOTAL FEE = | \$1028 | |

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".
 17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.
 18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

**PLEASE CHARGE
 OUR DEP. ACCT**

Our Deposit Account No. 03-3975)
 (Our Order No. 51270 | 277008

C# | M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

Pillsbury Winthrop LLP
 Intellectual Property Group

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 Los Angeles, CA 90017-5406
 Tel: (213) 488-7100

By Atty: Roger R. Wise

Sig:

Reg. No. 31204

Fax: (213) 629-1033
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Atty/Sec: RRW/ah

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments